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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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9 GREGORY CALVIN SMITH,

No. C 04-3436 JSW

10 Petitioner,

**CASE MANAGEMENT ORDER**

11 v.

**DEATH PENALTY CASE**

12 RON DAVIS, Acting Warden of California State  
13 Prison at San Quentin

14 Respondent.  
\_\_\_\_\_ /

15 The Court has reviewed the parties' Joint Statement Regarding Briefing Of Record-Based  
16 Claims and adopts, with some alteration, the course of litigation proposed by petitioner. The Court  
17 directs the parties to brief the merits of petitioner's forty-three record-based claims. In the interest of  
18 efficiency and in order to avoid oversize briefs however, the parties shall divide the claims into three  
19 groups (by grouping together, for example, claims that have the same factual predicates), and shall  
20 file three rounds of briefing, with each brief addressing no more than fifteen claims.  
21

22 Accordingly, by April 15, 2015, petitioner shall file his opening brief. Within 60 days of the  
23 date of service of petitioner's brief, respondent shall file a response. Within 30 days of the date of  
24 service of respondent's brief, petitioner shall file a reply. The Court directs the parties to observe a  
25 25-page limit for their briefs. Due-dates for subsequent briefs shall be set by the Court in a  
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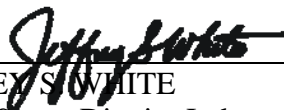
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subsequent Order.

**IT IS SO ORDERED.**

DATED: January 12, 2015

  
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JEFFREY S. WHITE  
United States District Judge

**United States District Court**  
For the Northern District of California